

CITY OF LEON VALLEY



CITY OF LEON VALLEY CITY COUNCIL SPECIAL & REGULAR MEETING

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Monday, September 08, 2014

MINUTES

The City Council of the City of Leon Valley, Texas met on the 8th day of September, 2014 at 5:30 p.m. at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business:

Call to order, Determine a Quorum is Present.

Mayor Riley called the Special City Council Meeting to order at 5:32 p.m. Mayor Riley and asked Marianna Sanchez of 7306 Ellerby Pt. to lead the Pledge of Allegiance, which she did.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Councilmen Ricardo Ruiz, Carmen Sanchez, Abraham Diaz, Benny Martinez and Paul Biever.

City Manager Manuel Longoria, Jr., City Secretary Sandra Passailaigue, Human Resources Director Crystal Caldera, Economic Development Director Claudia Mora, Public Works Director Melinda Moritz, Community Development Director Kristie Flores, Police Chief Randall Wallace and Fire Chief Luis Valdez were also present.

The City Council shall meet in Executive Session under the following Texas Government Code for the following:

- a. ***§551.072 Deliberation Regarding the Purchase of Real Property located at 6312 El Verde Road.***
- b. ***§551.071 Consultation with Attorney regarding legal issues concerning boarders, commercial businesses and vehicles in the R-1 Zoning Districts.***

The City Council went into Executive Session at 5:32 p.m. No action was taken.

Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary.

The City Council reconvened into Open Session at 6:23 p.m. No action was taken.

Adjournment.

Mayor Riley announced the meeting adjourned at 6:24 p.m.

Call to order, Determine a Quorum is Present.

Mayor Riley called the Special City Council Meeting to order at 7:00 p.m. and Councilman Benny Martinez led the Pledge of Allegiance.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Councilmen Ricardo Ruiz, Carmen Sanchez, Abraham Diaz, Benny Martinez and Paul Biever.

City Manager Manuel Longoria, Jr., City Secretary Sandra Passailaigue, Human Resources Director Crystal Caldera, Economic Development Director Claudia Mora, Public Works Director Melinda Moritz, Community Development Director Kristie Flores, Police Chief Randall Wallace and Fire Chief Luis Valdez were also present.

Citizens to Be Heard

- Al Uvietta – 6923 Sunlight Dr. – spoke in support of Councilman Benny Martinez' suggestion of having the City's Board/Committees/Commissions reporting regularly to the City Council.
- Lyn Joseph – 6423 Trotter Ln. – passed on speaking at this time.
- Darby Riley – 6939 Forest Way – suggested having second *Citizens to be Heard Sign-up Sheet* left out at the front for people to sign up until 7:15 p.m. Mr. Riley then asked that City Council reconsider using the MPO for Evers Road instead of the Hike & Bike Trail. Mr. Riley suggested postponing the Hike & Bike Trail until the Huebner Road drainage project is complete.
- Olen Yarnell – 7230 Sulky Ln. – passed on commenting at this time.
- Trudy Grey – 7634 Deer Ln. – spoke in opposition of residential areas being used for commercial use. Ms. Grey also asked that the Council have CPS remove the telephone pole at Huebner and Chaparral near Deer Ln. as it causes many vehicular accidents.
- Jacque Conrad – 6522 Thunderbird – spoke in opposition of a church being allowed in an R-1 Zoning District and wants to know why she cannot get any help with this issue from the City.
- Ron Palmieri – 7728 Stebbins - spoke in opposition to residential areas being used for commercial use and the "gradual degrading" of the neighborhood.

Proclamation declaring September 11, 2014, Patriot Day in the City of Leon Valley, Texas.

Mayor Riley invited Fire Chief Luis Valdez up to the front to join her in reading aloud a Proclamation declaring September 11, 2014, Patriot Day in the City of Leon Valley, Texas.

Mayor Riley also announced and invited everyone to the Patriot Day Remembrance Event that the City is co-sponsoring with American Legion Post No. 336. The event will be held at the Leon Valley Community Center on September 14, 2014 from 5:00 p.m. to 9:00 p.m.

Chief Valdez spoke of the Tower Climb being held on September 11th at the Tower of Americas. Chief has fifteen (15) Leon Valley First Responders will participate in the climb.

Presentation in appreciation for 25 years of service to Rose Hurlock, Assistant Finance Director.

Mayor Riley read aloud a proclamation in appreciation to Rose Hurlock, Assistant Finance Director, for 25 years of service. Mayor Riley then presented Ms. Hurlock with a gold watch.

CONSENT AGENDA

Approval of City Council Minutes. (S. Passailaigue)

- a) August 11, 2014 Special City Council Meeting
- b) August 11, 2014 Regular City Council Meeting
- c) August 18, 2014 Special City Council Meeting
- d) August 23, 2014 Coffee with the Mayor & Council

Consideration of Resolution No. 14-022R appointing Shirley Jonas to the Beautification Committee. M&C 2014-08-09-01 (Mayor Riley)

Consideration of the continuation of the agreement with the United States Department of Justice, Drug enforcement to have an officer assigned to the State and Local Task Force. M&C # 2014-09-08-02 (R. Wallace)

Consideration of the continuation of the agreement with the San Antonio Police Department to have an officer assigned to the State High Intensity Drug Trafficking Area (HIDTA) Task Force. M&C # 2014-09-08-03 (R. Wallace)

A motion was made by Councilman Abraham Diaz, seconded by Councilman Carmen Sanchez, to approve Consent Agenda Items #9 (City Council Minutes – 8/11/14 Special, 8/11/14 Regular, 8/18/14 Special and 8/23/14 Coffee), #10 (Resolution No. 14-022R), #11 (Agreement – US Dept. of Justice), #12 (Agreement – SAPD) as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

REGULAR AGENDA

Consideration of policies amending the regulations of boarders, commercial businesses and vehicles in the R-1 Zoning Districts. M&C # 2014-09-08-04 (K. Flores).

Kristie Flores, Community Development Director presented this item due to citizen concerns regarding too many occupants living in a home as well as the parking of commercial vehicles in the R-1, Single Family Zoning District. Ms. Flores clarified what the conditions are as stated in the City's current Code of Ordinances.

City Attorney Charles Zech answered questions from citizens on methods of filing a complaint.

Mayor Riley called up citizens that had signed up to speak on this item.

- Ron Palmieri – 7728 Stebbins – spoke about his concerns regarding a home on Thunderbird Drive.
- Olen Yarnell – 7230 Sulky Ln. – asked that the Council place the address on Thunderbird Drive on a future agenda for discussion.
- Trudy Grey – 7634 Deer Ln. – spoke of and expressed her frustration with residential property being used as commercial.

- Lyn Joseph – 6423 Trotter Ln. – asked why existing residential/commercial establishments would be “grandfathered”.

Direction was given to staff to bring back an amendment to the definition of “family” and offering options to address the parking of commercial vehicles in residential areas. These would need to go through the Zoning Commission before coming back to City Council for review and possibly approval.

Presentation regarding creation of an Educational Facilities Corporation as authorized by the Texas Education Code with the legal authority to issue tax-exempt bonds for public and private non-profit accredited institutions of higher education, charter schools, and primary and secondary schools. (Presented by Mr. Bill Avila of Bracewell and Giuliani.) M&C # 2014-09-08-05 (M. Longoria, Jr.).

City Manager, Longoria, Jr. introduced Mr. William (Bill) Avila with the law firm of Bracewell & Giuliani who gave a presentation on the potential establishment of a Leon Valley Educational Facilities Corporation. These corporations are typically established by municipalities to provide “conduit” tax-exempt financing for non-profit educational institutions such as colleges, universities and charter schools. The city sponsored corporation is used by educational institutions to raise tax-exempt bonds to complete infrastructure projects within their campus. Mr. Avila provided a legal analysis outlining the purpose of the corporation and the impact to municipalities. The educational institutions are responsible for paying the debt on the bonds with no impact to the City for payment or default. The City would charge a fee that can range between \$25,000 to \$50,000 for use of the educational facilities to provide the “conduit” financing. The funds generated by the corporation are deposited in the General Fund and can be used for any governmental purpose allowed to municipalities.

The presentation was followed by a discussion.

Mayor Riley called up citizens that had signed up to speak on this item.

- Olen Yarnell – 7230 Sulky Ln. – spoke against this item.

No action was taken on this item.

Mayor Riley called for a 10 minute recess at 8:55 p.m.

Council reconvened at 9:05 p.m.

Conduct a Public Hearing on the Proposed 2014 Tax Rate of \$0.575507/\$100 valuation which is \$0.007408 lower than last year’s Tax Rate of \$0.582915 and exceeds the Effective Tax Rate of \$0.562998 by 2.221855%. M&C # 2014-09-08-06 (V. Wallace)

Finance Director Vickie Wallace presented the item saying last year the City of Leon Valley Property Tax Rate was \$0.582915 and that this year, the City of Leon Valley is proposing a Property Tax Rate of \$0.575507. This is \$0.007408 lower than last year’s tax rate.

The Property Tax Code, Chapter 26 requires a governing body to conduct two public hearings if the proposed tax rate exceeds the lower of the rollback tax rate or the effective

tax rate, whichever is lower. The 2014 proposed Tax Rate of \$0.575507 exceeds the Effective Tax Rate of \$0.562998 by 2.221855%.

Mayor Riley opened the Public Hearing at 9:05 p.m.

There being no comments from the public, Mayor Riley closed the Public Hearing at 9:05 p.m.

Conduct a workshop on the Proposed Fiscal Year 2015 Budgets. During the workshop the City Manager will present a PowerPoint Presentation on the following Proposed Fiscal Year 2015 Budgets: Water and Sewer (Enterprise) Fund, Grant Fund, CIED Fund, Crime Control and Prevention District, Building Security Fund, Child Safety Fund, Municipal Court Technology Fund, Debt Service Fund, Community Center Fund, Street Maintenance Tax Fund, Capital Project Fund and Police Forfeiture Fund. M&C # 2014-09-08-07 (M. Longoria, Jr.)

City Manager, Manuel Longoria, Jr. presented the item beginning with reconciliation. Mr. Longoria first showed the Council what a sales tax reduction to 8% would do to the proposed budget which was basically a reduction of \$38,093; Also shown was a move of \$35,000 in Special Events from supplies to contractual as suggested by Council. Mr. Longoria went on to discuss the Water, Sewer and Stormwater Funds: total revenues are proposed at 3,582,169 along with other financing resources totaling 160,000 resulting in total resources available of \$3,742,169; total expenses of \$4,159,708. Water sales are projected at \$1,210,000 which is an increase of \$94,000 due to the EAA increase; Sewer sales are projected at \$1,880,369 which is an increase of \$233,369 due to the SAWS increase; Water and Sewer Fund revenues are budgeted at \$3,582,169 which is an increase of \$324,569 due to the fees mandated by SAWS and the mandated increase in the EAA fees, both of which are pass through fees. \$30,000 is proposed for a rate study and development of a Capital Improvement Plan (CIP) to address the aging infrastructure associated with the water. Water and Sewer expenditures are proposed at \$3,748,134; Storm Water expenditures are at \$341,574; total Water and Sewer Capital at \$700,799. The Crime Control and Prevention District is projecting \$261,866 in total revenues; \$384,566 in total resources and \$180,653 in total expenditures leaving an ending fund balance of \$203,913. This budget will fund a new police officer, Crime Control Prevention Officer, overtime for officers and certification pay for police officers. The Community Center is projecting \$160,470 in total revenue with a total resource available of \$180,470, \$171,063 in total expenditures leaving an ending fund balance of \$66,027. Street Maintenance is projected to have \$523,472 in total revenues, \$870,334 in total other financing sources; \$1,393,806 in total expenditures. Mr. Longoria pointed out that \$300,000 is included in this budget for design fees associated with the Evers Road reconstruction.

Lyn Joseph – 6423 Trotter Ln. – asked what Storm Water was. Public Works Director Melinda Moritz gave a brief explanation.

Discussion on modifying the Volunteer Application and Volunteer Appointment Process. M&C # 2014-09-08-08 (Mayor Riley)

There was a consensus among the members of City Council to form a workgroup consisting of Mayor Riley, Councilmen Martinez and Diaz, to draft and review a new policy and application for board/commission/committee volunteers.

- Al Uvietta – 6923 Sunlight Dr. – Suggested that the form and policy be reviewed by all members of Council.

Presentation on allowable yard signs as outlined in the Leon Valley Code of Ordinances including discussion of First Amendment Rights. M&C # 2014-09-08-09 (Mayor Riley)

Kristie Flores, Community Development Director presented this item to explain yard signs. Ms. Flores informed the Council and guests that, by City Code, yard signs are not allowed. Garage sale signs are allowed but only on the property which is conducting the sale and only during the duration of the sale. Additionally, the Code states that when sign permits can only be issued for signs proposed in O-1 (Office), B-1 (Small Business), B-2 (Retail), B-3 (Commercial), and I-1 (industrial) zoning districts and residentially in R-3 (Multiple-Family), R-3A (Multiple-Family Retirement) and R-5 (Manufactured Homes); not R-1 (Single-Family Dwelling). This was followed by a brief discussion.

- Lyn Joseph – 6423 Trotter Ln. – Passed on commenting at this time.
- Al Uvietta – 6923 Sunlight Dr. – Passed on commenting at this time.
- Olen Yarnell – 7230 Sulky Ln. – Spoke in support of an amendment.

Direction was given to staff to review to review the sign ordinance and bring back proposed amendments for Council review at a future meeting.

City Manager's Report

- September 18, 2014 at 9:00 a.m. – Monument Ribbon Cutting Event**
- September 27, 2014 Coffee with the Mayor Change in Location to Council Chambers**
- October 7, 2014 National Night Out**
- Monthly Departmental Reports**
- Approved Minutes from Boards, Commissions and Committees**

Mr. Longoria announced a ribbon cutting ceremony for the new monuments on September 18th at 9:00 a.m. at the monument at Seneca; also, the September 27th Coffee with the Mayor and Council will be held at City Hall in Council Chambers; and lastly that October 7th is National Night Out.

Citizens to be Heard

- Kim Crawford – 7007 Forest Mont – Spoke about signs being removed and thanked the Council for looking into a review of this ordinance.
- Monica Alcocer – Aids Drive – Asked the Council to not consider the municipal bond; asked that someone beautify the medians around the new monuments; and informed everyone present that the section discussed this evening on the sign ordinance was intended for businesses.
- Pedro Esquivel – Forest Meadow - Spoke in support of reviewing and possibly amending the volunteer application and policy.
- Irene Baldridge – 6368 Parsley Hill – Asked about the process of how the Code Compliance Office looks into a possible violation. City Manager Longoria responded to her question.

Announcements by the Mayor and City Council Members.

- Councilman Benny Martinez asked that everyone participate at the 9-11 Remembrance Sunday hosted by the American Legion and the City.

- Councilman Paul Biever spoke about the book signing at the Leon Valley Library being written about in the Express News. Mr. Biever also responded to Ms. Baldridge's previous comment about Code Compliance, suggesting that maybe the Beautification Committee could come up with an incentive program to address "cleanup" with local businesses.
- Councilman Abraham Diaz and Mayor Riley brought up that October is Breast Cancer Awareness month and everyone is asked to wear their pink Leon Valley shirts in honor of Assistant Fire Chief, Billy Lawson's wife Marnie. Mr. Diaz also asked that everyone support Chief Lawson and his wife by going to the Leon Valley Peter Piper Pizza on September 17th and 18th where a portion of the proceeds will be given to the Lawson family.
- Mayor Riley asked for a couple of items to be placed on the next agenda: Silo detention pond update; DPS traffic study; and Committee Reports.

Adjournment

Mayor Riley announced the meeting adjourned at 10:28 p.m.

These minutes approved by the Leon Valley City Council on the 13th of October, 2014.

APPROVED



CHRIS RILEY
MAYOR

ATTEST:



SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

